

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE BED BATH & BEYOND INC. SECTION  
16(b) LITIGATION

22 Civ. 9327 (PGG)

**NOTICE OF SUGGESTION OF BANKRUPTCY  
FOR *BED BATH & BEYOND INC.* AND CERTAIN  
OF ITS AFFILIATES AND AUTOMATIC STAY OF PROCEEDINGS**

**PLEASE TAKE NOTICE** that on April 23, 2023, Bed Bath & Beyond Inc., and certain of its affiliates (collectively, the “Debtors”)<sup>1</sup> filed voluntary petitions under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Jersey (the “Court”). A copy of the voluntary petition of the lead Debtor, Bed Bath & Beyond Inc., is attached hereto as **Exhibit A**.

**PLEASE TAKE FURTHER NOTICE** that the Debtors’ chapter 11 cases are pending before the Honorable Judge Vincent F. Papalia and are being jointly administered under the lead case *In re Bed Bath & Beyond Inc.*, Case No. Case No. 23-13359 (VFP) (the “Chapter 11 Cases”). A copy of the order entered on April 24, 2023 directing joint administration of these Chapter 11 Cases is attached hereto as **Exhibit B**.

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<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to section 362(a) of the Bankruptcy Code, the Debtors’ filing of their respective voluntary petitions “operates as a stay, applicable to all entities, of—”

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title; (2) the enforcement, against the debtor or against property of the estate, of a judgment obtained before the commencement of the case under this title; [and] (3) any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate . . . .

11 U.S.C. § 362(a)(1)–(3).<sup>2</sup> No order has been entered in the Chapter 11 Cases granting relief from the automatic stay.

**PLEASE TAKE FURTHER NOTICE** that any action taken against the Debtors without obtaining from the Bankruptcy Court relief from the automatic stay may be void *ab initio* and result in a finding of contempt for violation of the automatic stay. Any party wishing to take action against the Debtors should contact the Debtors’ counsel before taking any action in the above-captioned proceeding to ensure that such action does not constitute a violation of the automatic stay. The Debtors reserve and retain all rights to seek relief in the Bankruptcy Court from any judgment, order, or ruling entered in violation of the automatic stay.

**PLEASE TAKE FURTHER NOTICE** that additional information regarding the Chapter 11 Cases may be obtained free of charge by: (i) reviewing, free of charge, the docket of the Debtors’ Chapter 11 Cases on the website of the Debtors’ proposed claims and noticing agent

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<sup>2</sup> Nothing herein shall constitute a waiver of the Debtors’ rights to assert any claims, counterclaims, defenses, rights of setoff or recoupment, or any other claims against any party to the above-captioned case. The Debtors expressly reserve all rights to contest any claims that may be asserted against the Debtors.

at <https://restructuring.ra.kroll.com/bbby> or by calling (833) 570-5355 (Toll-free from US / Canada) or +1 (646) 440-4806 (International); (ii) visiting the Court's website at <https://www.njb.uscourts.gov> (PACER login and password required) in accordance with the procedures and fees set forth therein; or (iii) contacting any of the following proposed co-counsel to the Debtors, (i) Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022, Attn.: Joshua A. Sussberg, P.C., Emily E. Geier, P.C., Derek I. Hunter, and Ross J. Fiedler; (ii) proposed co-counsel to the Debtors, Cole Schotz P.C., Court Plaza North, 25 Main Street, Hackensack, New Jersey 07601, Attn.: Michael D. Sirota, Esq., Warren A. Usatine, Esq., and Felice R. Yudkin, Esq.

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New York, New York

Dated: April 25, 2023



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